

IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

IN RE:

marva gillis, a woman

CASE NO: 16-80083

NOTICE:
NOTICE OF OBJECTION AND APPEAL

TRIAL BY JURY

**AFFIDAVIT & NOTICE OF DISPUTE/OBJECTION AND APPEAL TO
ORDER DISMISSING CASE**

I am a woman, marva: gillis, and

- a. am of the age of maturity to make this affidavit and testimonial facts herein;
- b. am mentally competent to make this Official Affidavit of Testimonial Facts for the Court Record;
- c. have personal knowledge of the facts in this affidavit.
- d. This affidavit is made under penalties of perjury and must be responded to by counter affidavit within 30 days or it will stand as undisputed fact as a matter of law.

This affidavit is not made to commit willful neglect of any lawful duties but is prepared for the lawful declaration of truth of the affiant and serves as special appearance in peace and honor to the court.

- The purpose of this affidavit is to insure our CONSTITUTIONAL & God-given inherent RIGHTS for the purpose of insuring Life, Labor and Liberty is not encroached or infringed upon by alleged Governmental Official, Officer, or Agency who has sworn by Oath or Affirmation to support the United States Constitution and the State Constitution and all other contracts of record.

1. I am a woman, marva: gillis (hereafter "I, a woman"), indigenous one of the people and beneficiary, by special appearance and common law jurisdiction in this court of record.
2. I a woman, marva come in honor and peace, overstand and move the court under and hereby dispute, objects and gives notice of appeal to the Order Dismissing Case by a man, Benjamin A Kahn acting as Honorable Judge-United States Bankruptcy Court Middle District of North Carolina. Grounds are set forth as noted below. We admitted and pressed on the record dispute, objections, notices and motions on earlier dates and now renew re-allege and incorporate all disputes, objections, notices, request, motions, and documents herein. We object to everything! It is not our wish it be this way! We do not consent. We do not

understand. We reserve all our rights.

3. Grounds for appeal include, but are not limited to the following. I a woman reserve our right to amend as necessary.
 - a. Lack of Standing
 - b. Lack of Jurisdiction
 - c. Failure to establish proper foundation to be recognized by the court
 - d. Lack of Due Process and Equal Protection
 - e. False assertions of ownership in relation to alleged debt
 - f. Invalid, Unverified Complaint and or Proof of Claim
 - g. Failure to file ^{valid} proof of claim(s)
 - h. Tortious Interference; attempting to create or cause action out of wrongful action; causing harm and injury to us and our property; reporting false information to third parties to deceive, and with knowing of substantial harm or injury
 - i. Intrusion, Invasion of Privacy
 - j. Failure to show proof of authenticated competent evidence to be Holder in Due Course
 - k. Failure to show proof of authenticated competent evidence to be Real and Beneficial Party in Interest
 - l. Interference and or Obstruction in determining holder in due course, real and beneficial party(ies) of interest, and or discovery
 - m. Failure to show proof and or Lack of physical possession of note, mortgage/deed of trust, and other key documents; Initiated adverse action without physical possession of note, failure to show proof of authenticated evidence thereof, Denial and or Refusal of inspection
 - n. Improper, Defective/Invalid Transfer Assignment; Failure to show authenticated competent proof of authority and or capacity
 - o. Failure to show authenticated competent evidence and proof of right to enforcement under instrument
 - p. Lack of competent fact witness with firsthand personal knowledge, capacity and or authority; Failure to affirmatively identify
 - q. Failure to show authenticated competent proof of perfected chain of title
 - r. Failure to state a cause of action for which relief can be granted

- s. Pattern and Practice of Inconsistent, False and misleading representation
- t. Fraud
- u. Prejudice, substantial materially harmful error to Appellant and our property
- v. Noncompliance with oath of office, professional responsibility, ethical standard; Neglect, Failure to uphold or fulfill fiduciary responsibility and or duty of care, failure to verify the facts, failure to maintain impartiality; Obstruction or Interference of notices, objections, motions and documents of material fact being admitted and pressed on the record (not on the docket, not in file and require readmit as per clerk)
- w. Conflict of Interest
- x. Ineffective Counsel
- y. Lack of authenticated competent sufficient complete evidence to establish prima facie validity
- z. Lack of Notice; Improper Notice
- aa. Lack of Service; Insufficiency of Service
- bb. Lack of Process; Insufficiency of Process of Service
- cc. Failure to Validate Debt; Invalidated Debt
- dd. Attempting to Collect Alleged Debt not entitled too
- ee. Predatory; Unfair, Oppressive, Hostile, Threatening, Deceptive, Unconscionable Practices in effort to collect alleged debt
- ff. False assertion of alleged debt owed and or money loaned
- gg. False assertion of co-debtor and co-borrower; alleged debt owed
- hh. Failure to show produce authenticated competent proof of valid contract; repudiation
- ii. Lack of privity
- jj. Misrepresentation of the character and nature of alleged debt and legal status
- kk. Continued efforts to collect invalidated disputed alleged debt during active bankruptcy
- ll. Noncompliance with procedural and process requirements
- mm. Noncompliance with terms and conditions of alleged note and or agreement
- nn. Failure to satisfy conditions precedent

- oo. Insufficient, Incomplete, Inconsistent documentation and or information
- pp. Lack of Full Disclosure
- qq. Lack of authenticated proof that lawyers, attorneys, counsel have authority to proceed in the matter; trespass on case
- rr. Slander
- ss. Exceeding limits of authority
- tt. Breach of contract; Breach of implied covenant of good faith and fair dealing; unfair advantage and or influence
- uu. Trespass; Infringement; Encroachment; Illegality; Material Alteration; Duress; Denial of Life, Liberty, Labor and Happiness; Denial of Fair and Impartial Proceeding, Trial by Jury; Deprivation of Rights, and Prohibitions, etc
- vv. Misrepresentations; Misstatements; False and Misleading Information and Documents
- ww. Exceeding time limits; abuse of discretion
- xx. Lack of authenticated competent evidence; Failure to satisfy evidentiary burden of proof
- yy. Evidence of Movement; securitization
- zz. Evidence of Robo-signers
- aaa. Disputes and Motions that have not been heard and pending decision
- bbb. Deprivation of rights under color of law; Federal, State, Constitutional, Human Rights and Other Violations (e.g. FDCPA, TILA, RESPA, FCRA, etc)
- ccc. To preserve testimony
- ddd. To protect and maintain our substantial rights
- eee. Error and or irregularity in the proceedings and or order by which we are prevented from having a fair and impartial trial; unfair, partial, bias administration of justice
- fff. Hearsay, Speculation; Attorneys testifying, Verdict must have been the result of prejudice and manifest injustice
- ggg. Inconsistency with Public Policy
- hhh. Substantial justice

WHEREFORE, I a woman, marva: gillis objects to Order Dismissing Case and respectfully moves this Court under to Amend Order:

1. Grant Reconsideration and Recission of Order Dismissing Case
2. Compel Production of Discovery
3. Suspend \$100 Monthly Payment pending decision of appeal;
4. Reimburse Plan Payments to Chapter 13 Office –Durham in its entirety made to date
5. Strike Order to Grant Relief of Stay and Co-Debtor Stay to Nationstar;
Disallow alleged claim of Nationstar Mortgage LLC dba Champion Mortgage Company in its entity, Dismiss with prejudice alleged claim of Nationstar Mortgage LLC dba Champion Mortgage Company;
6. Disallow and Dismiss with prejudice alleged claim of IRS, DOR, Moore County in its entirety for failure to state a cause of action or claim for which relief can be granted;
Grant Leave to further object and respond alleged claim of parties;
7. Set Aside/Vacate Void Judgement & Order; Reverse Decision and Amend Order
8. Grant Emergency Stay pending decision of appeal
9. Provide Findings of Fact and Conclusion of Law
10. Grant any and all such other and further relief as the Court deems proper


MOTION TO STAY

11. I am a woman, marva gillis and in this court of record re-alleges the foregoing, and hereby moves the court under to grant Stay pending disputed issues and the disposition of pending unheard motions and Appeal.

MOTION TO SET HEARING

12. I am a woman, marva gillis and in this court of record re-alleges the foregoing and moves the court under to set (calendar) hearing for aforementioned Reconsideration and Recission of Order Dismissing Case, Motion to Set Aside/Vacate or Reverse and Amend Judgement & Order, and Motion to Stay.

Respectfully submitted this 30th with day of Sept, 2016.


Marva Gillis
c/o PO Box 124
Aberdeen NC USA 28315

VERIFICATION

I, a woman Marva Gillis, certify that the statements set forth herein, and that to the best of thy knowledge, information and belief, formed after reasonable inquiry, believes that I am well grounded in fact and warranted by existing law or a good faith argument for the dispute, validation, correction, reversal or cancellation of said alleged debt, and that I am not interposed for any improper purpose such as or needlessly increase the cost of litigation.

CERTIFICATE OF SERVICE

I certify that a copy hereof of the Notice of Appeal to all parties listed below by the method indicated for each party.

Done this 4th day of Oct, 2016

TO: William P. Miller,
Office of the United States Bankruptcy Administrator
101 South Edgeworth Street
Greensboro NC 27401

Chapter 13 Office
Attn: Richard M. Hutson, II – Ch 13 Trustee
302 East Pettigrew St., Ste B-140
PO Box 3613
Durham NC 27702

cc: Brian Gillis (hand delivered)
Consumer Finance Protection Bureau

Respectfully submitted,

Marva Gillis
Marva Gillis
c/o PO Box 124
Aberdeen NC USA 28315

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DATED this 4th day of October of 2016

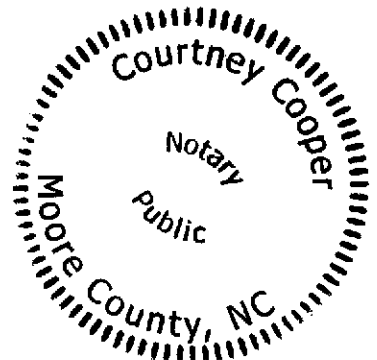
STATE OF North Carolina)
COUNTY OF moore) ss:

I, Courtney Cooper, Notary Public, certify
that Marva Gillis and _____ personally came before me this day and
acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 4th day of October 20 16.

My commission expires: 6/18/2019

Courtney Cooper
Notary Public



NOTICE: EXH J-3

I, a woman marva gillis overstand and moves this Honorable Court under to
TAKE MANDATORY JUDICIAL NOTICE under the Federal Rules of Civil Procedure Rule 201 (d) of the following:

1. The United States Supreme Court, in *Haines v Kerner* 404 U.S. 519 (1972), said that all litigants defending themselves must be afforded the opportunity to present their evidence and that the Court should look to the substance of the complaint rather than the form.
2. In *Platsky v CIA*, 953 F.2d 26 (2nd Cir. 1991), the Circuit Court of Appeals allowed that the District Court should have explained to the litigant proceeding without a lawyer, the correct form to the plaintiff so that he could have amended his pleadings accordingly.
 I a woman marva respectfully reserves the right to amend this claim.
3. Under Federal Rules of Civil Procedure 17, an action must be taken in the name of a real party of interest.
4. Federal Rules Bankruptcy Rule 3001(d)
 (d) Evidence of perfection of security interest
 If a security interest in property of the debtor is claimed, the proof of claim shall be accompanied by evidence that the security interest has been perfected
5. Under the Federal Rules of Evidence 1002 and 1003 governing the admissibility of duplicates, any photocopies brought in as evidence are considered to be forgeries. It is unfair to admit a photocopy in the place of an original as there are information contained within the original that is not in a photocopy, specifically the only legally binding chain of title to the promissory.
6. The Supreme Court of the United States pronounced a basic concept in law that "the mortgage follows the note," in *Carpenter v Longan*, 83 U.S. 271, 274.
 "...the note and the mortgage are inseparable; the former as the essential, the later as incident. An assignment of the note carries the mortgage with it, while the assignment of the latter alone is NULLITY"
7. Under U.S. Code Title 12: Banks and Banking
 Part 226—TRUTH IN LENDING (REGULATION Z), a servicer of a promissory note does not have the rights of a lender if it has acquired the note for the purposes of administration.
 A servicer of a promissory note does not have the rights of a holder in due course and is not a real and beneficial party of interest under US Code Title 12: Part 226 (a) 1 – Truth in Lending (Regulation Z).
8. The Pooling and Servicing Agreement (which was requested via qualified written requests RESPA) also prove must be an unbroken chain of title. Article 2 Section 2.01 of the Pooling & Servicing Agreement legally must show the lawful chain of title and the parties must be holder must be holders of the original instrument giving interest and the mortgage security instrument or a lawful assignment testifying they have both instruments.

9. Under Financial Accounting Standard Rule 140 (FAS 140), the seller of an asset must sell the asset to a third party as an arms length transaction. Once an asset has been sold, the seller forever loses control of the asset. The seller may not repurchase the asset for the purposes of "reattachment". The seller may only repurchase the asset in an open market transaction as an unsecured note.
10. Pursuant to the National Banking Act 1864 (also called the National Currency Act), RULES GOVERNING HOLDING OF REAL ESTATE state, "And be it further enacted, Such associations shall not purchase or hold real estate in any other case or for any other purpose than as specified in this section. Nor shall it hold the possession of any real estate under mortgage, or hold the title and possession of any real estate purchased to secure debts due to it for a longer period than five years. Section 28 page 108 38th Congress
11. Any copy of the original security instrument is a counterfeit security, pursuant to the Counterfeit Detection Act of 1992.
 - a. Title 18 USC § 472 Uttering counterfeit obligations or securities states, "Whoever, with intent to defraud, passes, utters, publishes, or sells, or attempts to pass, utter, publish, or sell, or with like intent brings into the United States or keeps in possession or conceals any falsely made, forged, counterfeited, or altered obligation or other security of the United States, shall be fined under this title or imprisoned not more than 20 years, or both."
 - b. Title 18 USC § 473 Dealing in counterfeit obligations or securities states, "Whoever, buys, sells, exchanges, transfers, receives, or delivers any false, forged, counterfeited, or altered obligation or other security of the United States, with the intent that the same be passed, published, or used as true and genuine, shall be fined under this title or imprisoned not more than 20 years, or both."
 - c. Pursuant to Title 18 USC § 471 of the United States Code, manufacturing counterfeit United States currency or altering genuine currency to increase its value is a violation of this United States Code and states, "Whoever, with intent to defraud, falsely makes, forges, counterfeits, or alters any obligation or other security of the United States, shall be fined under this title or imprisoned not more than 20 years, or both."
 - d. Printed reproductions, including photographs of paper currency, checks, bonds, postage stamps, revenue stamps, and securities of the United States and foreign governments are violations of Title 18 Section 474 which states, "Whoever prints, photographs, or in any other manner makes or executes any engraving, photograph, print, or impression in the likeness of any such obligation or other security, or any part thereof, or sells any such engraving, photograph, print, or impression, except to the United States, or brings into the United States, any such engraving, photograph, print, or impression, except by direction of some proper officer of the United States – Is guilty of a class B felony."
 - e. Forging, altering, or trafficking in United States Government checks, bonds, or other obligations is a violation of Title 18, Section 510 of the United States Code and is punishable by a fine or imprisonment for up to 10 years, or both.

12. Pursuant to Section 55 of the National Bank Act, "And be it further enacted, That every president, director, cashier, teller, clerk, or agent of any association, who shall embezzle, abstract, or willfully misapply any of the moneys, funds, or credits of the association, or shall, without authority from the directors, issue or put in circulation any of the notes of the association, or shall without such authority issue or put forth any certificate of deposit, draw any order or bill of exchange, make any acceptance, assign any note, bond, draft, bill of exchange, mortgage, judgment, or decree, or shall make any false entry in any book, report, or statement of the association, with intent, in either case, to injure or defraud the association or any other company, body politic or corporate, or individual person, or to deceive any officer of the association, or any agent appointed to examine the affairs of any such association, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment not less than five nor more than ten years."

13. OATH OF THE DIRECTORS FILED WITH THE COMPTROLLER OF CURRENCY

"Each Director when appointed or Elected, shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such association, and will not knowingly violate, or willingly permit to be violated any provisions of this act, and that he is the bona fide owner, in his own right, of the number of shares of stock required by this act, subscribed by him, or standing in his name on the books of the association, and that the same is not hypothecated, or in any way pledged, as security for a loan or debt; which oath subscribed by himself, and certified by the officer before whom it is taken, shall be immediately transmitted to the comptroller of currency, and by him filed and preserved in his office."

Section 9 page 102 38th Congress

14. NC Statutes Title 12A Commercial Transactions

"25-3305. Real Defenses and claims in recoupment.

- a. General rule.—Except as stated in subsection (b) of this section, the right to enforce the obligation of a party to pay an instrument is subject to the following: (1) a defense of the obligor based on: (ii) duress, lack of legal capacity, or illegality of the transaction WHICH, UNDER OTHER LAW, nullifies the obligation of the obligor; (iii) fraud that induced the obligor to sign the instrument with neither knowledge nor reasonable opportunity to learn of its character or its essential terms; or...

15. Rule of Misconduct 8.4

- a. Violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another
- b. Commit a criminal act that reflects adversely on the lawyers's honesty, trustworthiness or fitness as a lawyer in other respects;
- c. Engage in conduct involving dishonesty, fraud, deceit, or misrepresentation; engage in conduct that is prejudicial to the administration

16. A Private Investigator specializing in mortgage compliance investigation stated, ""even a thief may enforce a note." However, the taking of a home by foreclosure is an equitable remedy, and equity does not allow a "thief" to use a stolen Note to foreclose on the Mortgage lien."

17. A Mortgage Pass Through Trust (i.e. R.E.M.I.C., as defined in Title 26, Subtitle A, Chapter 1, Subchapter M, Part II §§ 850-862) cannot hold assets, for if they do, their tax exempt status is violated and the Trust itself is void ab initio. This is an indication that either the Trust has either voided its intended Tax Free Status, or the asset is not in fact

owned by it.

18. Once the Note is converted into a stock, or stock equivalent, that event would indicate that the Note is no longer a Note. If both the Note and the stock, or stock equivalent, exist at the same time, that is known as double dipping. Double dipping is a form of securities fraud.
19. A stock is governed as a stock under the rules and regulations of the SEC; hence, the requirement for the filings of the registration statements, pooling and servicing agreements, form 424B-5, et al.
20. It further states that the debt collector cannot collect any amount of money that is not permitted by law or by the agreement.

Because there is no agreement between the collector and the alleged debtor, no collection can be sustained." (Fair Debt Collection Practices Act)

21. A "defendant is entitled to know the dates on which individual transactions were made, the amounts thereof and the items purchased to be able to answer intelligently and determine what items he can admit and what items he can contest." (citing Marine Bank, 25 Pa. D. & C.3d at 267-69)
22. "However, while a power of sale provision is meant to "function as a more expeditious and less expensive alternative to a foreclosure by action," in re Foreclosure of Brown, 156 N.C.App. 477, 486, 577 S.E. 2d 398, 404 (2003), "foreclosure under a power of sale is not favored in the law, and its exercise will be watched with jealousy." In re Foreclosure of Goforth Props., Inc., 334 N.C. 369, 375, 432 S.E.2d 855, 859 (1993) (internal quotation marks omitted).
23. In a foreclosure proceeding under a power of sale, the Lender bears the burden of proving four elements that must be established in order for the Clerk of Court to authorize the mortgagee or trustee to proceed with the foreclosure: "(i) valid debt of which the party seeking to foreclose is the holder, (ii) default, (iii) right to foreclose under the instrument, (iv) notice to those entitled to such." (See N.C.Gen. Stat. § 45-21.16(d) (2009); In re Foreclosure of Brown, 156 N.C.App. at 489, 577 S.E.2d)
24. The constitution is the supreme law of the land. Marbury v Madison, 5 U.S. 137 (1803)
25. The Claim and exercise of Constitutional Rights cannot be converted into a crime. Miller v Kansas 230 F.2nd 486, 489
26. **Title 18 sect 2381 – Capitol Felony Treason:**
"In the presents of two or more witnesses of the same overt act, or in a open court of law, if you fail to timely move to protect and defend the Constitution of the United States and honor your oath of office, you are subject to the charge of capital felony treason."
27. "No public policy of a state can be allowed to override the positive guarantees of the U.S. Constitution.

28. The Constitution For the United States

"This Constitution, and the laws of the United States [and Treaties] which shall be made in Pursuance thereof;...shall be the supreme Law of the Land....

When the state in the instant case is one of the perpetrators and violators, there can be no expectation of just, indeed any, relief from it. The State cannot cause a federal violation, and then try to prohibit litigants from seeking redress in the federal courts for those same violations (i.e. the state cannot violate our fundamental rights, and then try to have us dismissed out of federal court for seeking vindication of those rights)" "We have long recognized that a state cannot create a transitory cause of action and at the same time destroy the right to sue on that transitory cause of action in any court having jurisdiction" Tennessee Coal, Iron & R. Co. v George, 233 U.S. 354, 360 (1914)' cited in Marshall v Marshall (2006)

Judges' oath of office includes the undertaking to uphold the laws and Constitution of the United States. Any Judge violating such undertakings loses jurisdiction, resulting in his orders being VOID, and he himself commits a treasonable offense against the United States.

29. "There can be no sanction or penalty imposed upon one because of this exercise of Constitutional rights." – Sherar v. Cullen, 481 F.945

30. To disregard Constitutional law, and to violate the same, creates a sure liability upon the one involved:

"State officers may be held personally liable for damages based upon actions taken in their official capacities." -- Hafer v. Melo, 502 U.S. 21 (1991)

31. American Jurisprudence 2nd 1964 vol. 16 CONSTITUTIONAL LAW § 177

Generally statute leaves the question that it purports to settle just as it would be had the statute not been enacted. Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no rights, creates no office, bestows no power or authority on anyone, affords no protection, and justifies no acts performed under it. A contract which rest on an unconstitutional statute creates no obligation to be impaired by subsequent legislation.

32. No one is bound to obey an unconstitutional law and no courts are bound to enforce it. It is said that all persons are presumed to know the law, meaning that ignorance of the law excuses no one; if any person acts under an unconstitutional statute, he does so at his peril and must take the consequences. Pg. 403-405 16Am Jur 2d., Const. Law Sec 70: "If there should happen to be an irreconcilable variance between the two Constitution is to be preferred to the statute." (A. Hamilton, Federalist Papers #78 See also Warning V. The Mayor of Savannah, 60 Georgia, P.93; First Trust Co. v. Smith, 277 SW 762. Marbury v. Madison, 2 L Ed 60; and Am Juris. 2d Constitutional Law section 177-178).

33. A "Statute" is not a Law," (Flournoy v First Nat. Bank of Shreveport, 197 La. 1067, 3 So.2d 244, 248)

34. A "Code" is not a Law," (In Re Self v Rhay Wn 2d 261), in point of fact in law)
35. A concurrent or 'joint resolution of legislature is not "Law: (Koenig v Flynn, 258 N.Y. 292, 179 N.E. 705, 707; Ward v State, 176 Okl. 368, 56 P.2d 136, 137; State ex rel. Todd v Yelle, 7 Wash.2d 443, 110 P.2d 162, 165)
36. All codes, rules, and regulations are for government authorities only, not human/Creators in accord with God's Laws. "All codes, rules, and regulations are unconstitutional and lacking due process of Law..." (Rodriques v Ray Donovan, U.S. Department of labor, 769 F.2d 1344, 1348 (1985)); lacking due process of law, in that they are 'void for ambiguity'....
U.S. Const., Art. VI, cl. 2; Maryland v Louisiana, 451 US 725; 746; 101 S Ct 2114; 68 L Ed 2d 576 (1981) reveals that.
"Where a state statute conflicts wit, or frustrates, federal law, the former must give way."
"It (the legislature or statutory laws) may not violate constitutional prohibits or guarantees OR AUTHORIZE OTHERS TO DO SO." – Lockard v Los Angeles 33 Cal2d 553; Cert den 337 US 939.
Constitutionally, "a statutory presumption cannot be sustained if there be no rational connection between the fact proved and the ultimate fact presumed." Tot v United States, 319 US 463, 467; 63 S.Ct. 1241, 1245, 87 L.Ed.2d 1519 (1943).
37. Study the Constitution. Let it be preached from the pulpit, proclaimed in legislatures, and enforced in courts of justice. – Abraham Lincoln
38. "We the people are the rightful masters of both Congress and the courts, not to overthrow the Constitution but to overthrow the men who pervert the Constitution." – Abraham Lincoln quotes
39. COLOR OF AUTHORITY NOTICE:
 - a. **Title 18 Part 13 section § 241**

§ 241. Conspiracy Against Rights

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured--

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

b. Title 18 Part 13 section § 242

§ 241. Conspiracy Against Rights

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

c. Title 42 Chapter 21 section § 1983

CIVIL ACTIONS FOR DEPRIVATION OF RIGHTS

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.